

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:99CV268**

**STEVE E. ASHE, and wife DEBORAH )  
ANN SCOTT ASHE, *et al.*, )**

**)  
This document pertains to: )  
STEVE E. ASHE, and wife DEBORAH )  
ANN SCOTT ASHE; FRANK H. )  
BARTON; HOMER R. BLYTHE, and )  
wife ANN ENGLISH BLYTHE; BEN )  
BOLT, and wife FLORA MAE McCALL )  
BOLT; SHIRLEY EUGENE BRACKEN, )  
and wife ANNIE JO SHERRIL )  
BRACKEN; FRED C. BRYSON, and )  
wife MARY B. BRYSON; ALLEN E. )  
CHAPMAN, and wife SANDRA FISHER )  
CHAPMAN; JOHN C. CHAPMAN, and )  
wife IVA LEE ANDERS CHAPMAN; )  
DAVID H. CORN, and wife PHYLLIS )  
BOWEN CORN; ROBERT H. CROWE, )  
and wife MARIAN CROWE; DANNY L. )  
DUCKWORTH; JOHN D. EZELL, and )  
wife AILEEN RODGERS EZELL; )  
EDNA MAE FEWELL; SALLY R. )  
FLETCHER, Individually and as )  
Executrix of the Estate of Carroll D. )  
Fletcher, Deceased; WILLIAM M. )  
GADDY, SR., and wife MYRTLE N. )  
GADDY; CLYDE C. GALLOWAY, and )  
wife BELLE T. GALLOWAY; JAMES C. )  
GOFORTH, and wife THELMA W. )  
GOFORTH; CLAUDE S. GOODSON, )  
and wife DARLENE GOODSON; )  
ROBERT P. GRANT, and wife DORIS )  
PATTERSON GRANT; LARRY W. )  
GREGORY; WILLIAM H. )  
HALL, JR., and wife WANDA D. HALL; )  
WILLIE E. HARRON; THOMAS B. )  
HEATON, and wife ELLA MAE P. )  
HEATON; RICHARD L. HISSA, and )  
wife PRISCILLA B. HISSA; MARILYN )  
S. JARRETT, Individually and as )  
Executrix of the Estate of Douglas L. )  
Jarrett, Deceased; MAGGIE C. )  
KRIDER, Individually and as Personal )**

Representative of the Estate of )  
Thomas Krider, Deceased; JAMES T. )  
MAHONEY, JR., and wife BRENDA )  
FAYE J. MAHONEY; ERNEST R. )  
MANEY, and wife BARBARA GREEN )  
MANEY; ARTHUR A. McCALL, and )  
wife EDITH ENGLISH McCALL; )  
BENJAMIN F. McCALL, and wife )  
DONNIE VEE McCALL; FRANKLIN L. )  
McCALL, and wife BETTY LAMBERT )  
McCALL; JAMES D. McCALL; )  
RUFUS S. McCALL, and wife )  
MARGARET PAULINE R. McCALL; )  
SHERRELL P. McCRARY, and wife )  
VELMA EARLENE McCRARY; )  
WILLIAM P. McKELVEY; BETTY N. )  
MICHAEL, Individually and as )  
Executrix of the Estate of John A. )  
Michael, Deceased; JIMMY G. MILLER, )  
and wife LINDA GALLOWAY MILLER;) )  
BENNY L. MOONEY, and wife )  
MILDRED RUTH H. MOONEY; )  
WILLIAM L. MOONEY, SR., and wife )  
BILLIE FARMER MOONEY; )  
PATRICIA M. CROUCH, as Executrix )  
of the Estate of Tarlie E. Moore, )  
Deceased, and BEULAH C. MOORE; )  
PEGGY LOFLIN, as Administrator of )  
the Estate of James H. Morris, Deceased; )  
GEORGE H. NEWMAN, and wife )  
VIRGINIA H. NEWMAN; CARROLL F. )  
OWEN, and wife CYNTHIA SPIVEY )  
OWEN; MARY M. OWEN; PHILLIP )  
E. OWENS, and wife DOROTHY )  
LORENA W. OWENS; ROSCOE H. )  
PONDER, and wife GRACE JULIE R. )  
PONDER; JOE B. ROGERS, and wife )  
JUNE ROGERS; REMUS L. ROPER, )  
and wife SHIRLEY ROPER; PAUL D. )  
SEAGLE, and wife LINDA M. SEAGLE;) )  
DOUGLAS G. SENTELLE, and wife )  
CINDY SENTELLE; CHARLES N. )  
SHOOK, as Executor of the Estate of )  
Vance F. Shook, Deceased; BRONITH )  
SHOOK, as Administrator of the )  
Estate of Vance Randall Shook; )  
ETHEL IRENE J. SITTON, Individually )  
and as Executrix of the Estate of Ed J. )  
Sitton, Deceased; NETTIE L. SITTON; )

BRUCE D. SMITH, and wife DELORES )  
H. SMITH; BRADLEY H. SNIPES, and )  
wife ELEANOR E. SNIPES; FRANK A. )  
STEVENS, and wife RUBY IRENE )  
STEVENS; JUANITA W. WATSON; )  
CHARLES E. WHITEMIRE, and wife )  
BOBBIE JEAN WHITEMIRE; )  
ALBERT W. WILLIAMS, and wife )  
CAROLYN WILLIAMS; and THOMAS )  
J. WOODS, and wife ALICIA JEAN )  
WOODS, )

Plaintiffs, )

Vs. )

A. W. CHESTERTON, INC., *et al.*, )

Defendants. )

### ORDER OF DISMISSAL

**THIS MATTER** is before the Court on the consent of the captioned Plaintiffs and Defendant Rapid American Corporation, to dismiss their claims with prejudice against said Defendant.

It appearing that all parties have consented to the relief requested herein,

**IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED** that the claims of each of the captioned Plaintiffs against Defendant Rapid American Corporation, are hereby **DISMISSED WITH PREJUDICE**, and this action may be terminated as to said Defendant.

Signed: November 5, 2007



Lacy H. Thornburg  
United States District Judge



WE MOVE:

WE CONSENT:

s/ James D. Gandy, III

James D. Gandy, III  
Pierce, Hems, Sloan & McLeod, LLC  
321 East Bay Street

Charleston, SC 29413

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Rapid American Corporation

s/ Janet Ward Black

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